



CDSS

JOHN A. WAGNER  
DIRECTOR

STATE OF CALIFORNIA—HEALTH AND HUMAN SERVICES AGENCY  
**DEPARTMENT OF SOCIAL SERVICES**  
744 P Street • Sacramento, CA 95814 • [www.cdss.ca.gov](http://www.cdss.ca.gov)



ARNOLD SCHWARZENEGGER  
GOVERNOR

August 1, 2008

ALL COUNTY LETTER NO. 08-35

REASON FOR THIS TRANSMITTAL

- ☐ State Law Change
- ☒ Federal Law or Regulation Change
- ☐ Court Order
- ☐ Clarification Requested by One or More Counties
- ☐ Initiated by CDSS

TO: ALL COUNTY WELFARE DIRECTORS  
ALL COUNTY REFUGEE COORDINATORS  
ALL COUNTY FOOD STAMP COORDINATORS  
ALL COUNTY CALIFORNIA WORK OPPORTUNITY AND  
RESPONSIBILITY TO KIDS (CalWORKs) PROGRAM  
SPECIALISTS  
ALL COUNTY REFUGEE HEALTH COORDINATORS  
ALL COUNTY CONSORTIUM PROJECT MANAGERS

SUBJECT: ELIGIBILITY FOR IRAQIS/AFGHANS WHO HAVE BEEN ISSUED  
SPECIAL IMMIGRANT VISAS AND INFORMATION ON NEWLY  
ARRIVING IRAQI REFUGEES

REFERENCE: PUBLIC LAW (PL) 110-161, CONSOLIDATED APPROPRIATIONS  
ACT OF 2008, EFFECTIVE DECEMBER 26, 2007  
PL 110-181, 2008 NATIONAL DEFENSE AUTHORIZATION ACT,  
EFFECTIVE JANUARY 28, 2008  
IMMIGRATION AND NATIONALITY ACT  
ALL COUNTY LETTER NO. 00-07, DATED JANUARY 5, 2000  
MANUAL OF POLICIES AND PROCEDURES SECTION 42-431

The purpose of this letter is to inform counties about eligibility for Iraqis/Afghans who have been issued Special Immigrant Visas (SIVs) and to share information on refugees arriving in California from Iraq.

**SPECIAL IMMIGRANT VISA HOLDERS**

Displaced persons from Iraq and Afghanistan are being admitted to the United States (U.S.) with SIVs. These Iraqis and Afghans were employed by or assisted the U.S. Armed Forces with translation and interpreter services. Two new laws have been

recently passed that allow benefits and services for these individuals to the same extent as refugees.

In accordance with PL 110-161, the Consolidated Appropriations Act of 2008, effective December 26, 2007, Iraqis/Afghans who have been issued SIVs are eligible for federally-funded refugee benefits and services, entitlement programs, and other benefits available to refugees. This law limits the period of federal eligibility to SIV holders to a maximum of six months from the date of entry to the U.S. There is a limit of 500 SIVs per year for Federal Fiscal Years (FFYs) 2007 and 2008. The numerical limitation does not include spouses and children. The Office of Refugee Resettlement (ORR) State Letter #08-04, dated January 18, 2008 may be found at <http://www.acf.hhs.gov/programs/orr/policy/sl08-04.htm> for more information regarding SIV holders' eligibility under this law.

Subsequently, the 2008 National Defense Authorization Act (PL 110-181) effective January 28, 2008, extends eligibility for Iraqi (not Afghan) SIV holders to eight months. This law provides for 5,000 SIVs per year for each of the five FFYs beginning after the date of enactment. The numerical limitation does not include spouses and children. The ORR State Letter #08-06, dated February 7, 2008 may be found at <http://www.acf.hhs.gov/programs/orr/policy/sl08-06.htm> for additional information.

### **REFUGEE PROGRAM ELIGIBILITY**

Iraqis/Afghans who have been admitted to the U.S. with a SIV are eligible for cash assistance and employment services to the same extent as refugees. The time period for eligibility is limited to six months for Afghan SIV holders and eight months for Iraqi SIV holders from the date of entry to the U.S. For Iraqi and Afghan Special Immigrants who acquire special immigrant status while in the U.S., the date of eligibility begins on the date of the grant of Iraqi or Afghan special immigrant status. Spouses and unmarried children under the age of 21 are also eligible for assistance if they meet all other eligibility criteria. In no case can eligibility begin on a date prior to December 26, 2007. Assistance may include Refugee Cash Assistance, employment services under the Refugee Social Services or Targeted Assistance programs, and other discretionary assistance funded by ORR.

### **CALWORKS PROGRAM ELIGIBILITY**

Iraqis/Afghans who have been admitted to the U.S. with a SIV who meet the eligibility criteria as defined in this All County Letter and PL 110-161(Title V, Section 525) and Section 1244 of PL110-181, are eligible to receive CalWORKs benefits. These families will be required to meet all other eligibility criteria including welfare to work requirements and reporting requirements.

These Iraqis/Afghans are eligible for CalWORKs effective upon their date of entry to the U.S. with proper documentation from the U.S. Citizenship and Immigration Service and are treated as qualified aliens. There are two types of proper documentation for the principal SIV applicant (Iraqi or Afghan); these types of documentation also apply to the principal SIV applicant's spouse and their unmarried child (under 21 years of age):

1. Iraqi or Afghan passport with an Immigrant Visa (IV) stamp noting that the individual has been admitted under any one of the following categories:
  - IV Category SI1 or SQ1 (for the principal SIV applicant);
  - IV Category SI2 or SQ2 (for the spouse of the principal SIV applicant);
  - IV Category SI3 or SQ3 (for the unmarried child, under the age of 21, of the principal SIV applicant);
  - IV Category SI6 or SQ6 (for the principal SIV applicant adjusting status in the U.S.);
  - IV Category SI7 or SQ7 (for the spouse of the principal SIV applicant adjusting status in the U.S.);
  - IV Category SI-9 or SQ9 (for the unmarried child, under the age of 21, of the principal applicant adjusting status in the U.S.); and
  - a Department of Homeland Security (DHS) stamp or notation on passport or I94 showing date of entry.
2. DHS Form I-551 ("green card") with an IV code of SI6 or SQ6, SI7 or SQ7, or SI9 or SQ9 which confirms both the status and the day of entry into the U.S. for the principal SIV applicant.

For Iraqi or Afghan Special Immigrants who acquire special immigrant status while in the U.S., the date of eligibility begins on the date of the grant of Iraqi or Afghan special immigrant status.

Section 1244 of PL 110-181 limits the assistance eligibility period for Iraqi special immigrants up to eight months while PL 110-161 limits the eligibility period for Afghan special immigrants to six months.

As indicated in All County Letter No. 00-07, California state law allows noncitizens who meet the definition of permanently residing in the U.S. under the color of law (PRUCOL) to be eligible for state-funded CalWORKs benefits even when they are no longer eligible for federal benefits. As Iraqi/Afghan special immigrants are considered PRUCOL (see Manual of Policies and Procedures Section 42-431), they are eligible for state-only benefits after their respective federal eligibility periods (six or eight months) elapse, if they continue to meet all other eligibility criteria.

In order to claim these eligible families for federally-funded CalWORKs benefits, the counties must use aid codes 30 or 35, as applicable. Counties must use aid codes of 3E, 3G, 3H, 3L, 3M, 3U, and 3W to claim families who are eligible for state-only CalWORKs benefits once the federal eligibility period expires.

All documentation must be verified through the Systematic Alien Verification for Entitlements (SAVE) process for confirmation of noncitizen status. Please see the federal Temporary Assistance to Needy Families Program Instruction No. TANF-ACF-PI-2008-01, dated February 21, 2008, at [http://www.acf.hhs.gov/programs/ofa/policy/pi-ofa/2008/200801/PI\\_2008\\_01.htm](http://www.acf.hhs.gov/programs/ofa/policy/pi-ofa/2008/200801/PI_2008_01.htm) for more information on eligibility for this population.

Denials: Counties that discover or become aware of any Iraqi and/or Afghan SIV individuals who were denied CalWORKs benefits after December 26, 2007 and prior to the date of this letter must reconsider those denials. If eligibility appears to exist after December 26, 2007 then counties must issue benefits to those denied households, if eligible.

### **FOOD STAMP ELIGIBILITY**

Afghan and Iraqi individuals admitted to the U.S. with SIVs are eligible for federal food stamp benefits for six or eight months, respectively, as discussed below:

- Afghan SIV individuals are eligible for federal food stamp benefits for a period not to exceed six months beginning with the date of entry with a SIV or the date of adjustment to special immigrant status, but no earlier than December 26, 2007. Eligibility is in effect for these Afghan SIV individuals until the end of the current FFY (September 30, 2008) as provided in the Consolidated Appropriations Act of 2008.

Historically, appropriation bills remain in effect after the end of the FFY through continuing resolutions; it is anticipated that the 2008 appropriation will be extended. The California Department of Social Services (CDSS) will notify counties if this provision is not extended. Counties will not truncate the household's certification period to coincide with the end of the FFY. Please see examples below on how to establish special immigrant certification periods for Afghan SIV households.

- Iraqi SIV individuals are eligible for federal food stamp benefits for a period not to exceed eight months beginning with the date of entry with an SIV or the date of adjustment to special immigrant status, but no earlier than December 26, 2007. Eligibility is in effect through FFY 2012 (September 30, 2012). Again, certification periods will not be truncated to coincide with the end of FFY 2012.

Denials: Counties that discover or become aware of any Iraqi and/or Afghan SIV individuals who were denied food stamp benefits after December 26, 2007 and prior to the date of this letter must reconsider those denials. If eligibility appears to exist after December 26, 2007, then counties must issue benefits to those denied households.

Date of Entry: Iraqi and Afghan special immigrants may enter the U.S. as Legal Permanent Residents with SIVs or may adjust to special immigrant status after entering the U.S. under another status such as asylee or parolee. Therefore, the beginning date for eligibility for food stamp benefits may or may not coincide with the special immigrant's date of entry. For example, asylees are qualified noncitizens and are immediately eligible under current program rules. If the asylee adjusts to special immigrant status, the six or eight month limit would not apply since they are already eligible or are receiving food stamp benefits indefinitely (7 CFR 273.4(a)(5)(iii)). However, if the Iraqi or Afghan individuals entered the U.S. with a SIV or adjusted to that status before December 26, 2007, they may not be eligible for the eight or six month periods. They may be eligible for less. If an individual is paroled for one year, he or she is not eligible until he or she has resided in the U.S. for five years; however, if the individual adjusts to special immigrant status during that time, the six or eight month time limit would apply from the date of adjustment.

Verification/Tracking: Iraqi and Afghan noncitizens who claim special immigrant status must provide verification that they have been admitted under section 101(a)(27) of the Immigration and Nationality Act (INA) to be determined eligible for food stamp benefits. Counties must track eligibility for these special immigrants to assure that these individuals do not receive more benefits than they are entitled under the law. Also, counties may assign a normal certification period if automated systems can track and remove individuals from benefits automatically as time periods expire.

Determining Certification Periods for Afghan Special Immigrants: Afghan noncitizens and family members admitted to the U.S. under section 101(a)(27) of the INA are eligible for federal food stamp benefits for up to six months, as specified in PL 110-161, the Consolidated Appropriations Act of 2008, effective December 26, 2007. This law granted federal food stamp benefit eligibility to Afghan noncitizens issued SIVs for a period not to exceed six months from the date of entry to the U.S. The period of eligibility for these Special Immigrants will remain in effect through the end of the fiscal year (September 30, 2008).

The chart below shows how to determine certification periods for Afghan special immigrants:

**AFGHAN SPECIAL IMMIGRANT VISA – 6 MONTHS ELIGIBILITY OR LESS:**

| <b>Date of Entry</b>                                                                       | <b>Date of Food Stamp Application</b> | <b>Certification Period</b>                         |
|--------------------------------------------------------------------------------------------|---------------------------------------|-----------------------------------------------------|
| October 11, 2007 –<br>Six months from date of entry is October 11 through March 31.        | January 8, 2008                       | 3 months—January 8, 2008 through March 31, 2008     |
| December 12, 2007 –<br>Six months from date of entry is December 12 through May 31.        | February 26, 2008                     | 4 months—February 26, 2008 through May 31, 2008     |
| September 30, 2008 –<br>Six months from date of entry is September 30 through February 28. | October 16, 2008                      | 5 months—October 16, 2008 through February 28, 2009 |

Determining Certification Periods for Iraqi Special Immigrants: Iraqi noncitizens and family members admitted to the U.S. under section 101(a)(27) of the INA are eligible for federal food stamp benefits for up to eight months, as specified in Public Law 110-181, the National Defense Authorization Act of 2008, effective December 26, 2007. The law was amended January 28, 2008 to extend the Iraqi certification period from six to eight months. The period of eligibility for these special immigrants will remain in effect for five federal fiscal years (2008 through 2012).

The chart below shows how to determine certification periods for Iraqi special immigrants:

**IRAQI SPECIAL IMMIGRANT VISA – EIGHT MONTHS ELIGIBILITY OR LESS:**

| <b>Granted Special Immigrant Status</b> | <b>8 Month Eligibility End Date</b> | <b>Date of Food Stamp Application</b> | <b>Date of Eligibility/Certification Period</b>                                                                                      |
|-----------------------------------------|-------------------------------------|---------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------|
| September 10, 2007                      | April 30, 2008                      | December 17, 2007                     | 5 months – from December 26, 2007 through April 30, 2008 (household is ineligible prior to the effective date of the law (12/26/07)) |

|                  |                 |                 |                                                        |
|------------------|-----------------|-----------------|--------------------------------------------------------|
| January 26, 2008 | August 31, 2008 | March 31, 2008  | 6 months – from March 31, 2008 through August 31, 2008 |
| August 1, 2008   | March 31, 2009  | August 15, 2008 | 8 months - from August 15, 2008 through March 31, 2009 |

California Food Assistance Program (CFAP): At the end of the six and eight month certification period for federal benefits, Iraqi and Afghan SIV individuals may claim eligibility for CFAP by filing a new application for food stamp benefits. If a normal certification period has been assigned, and the six or eight month federal eligibility period has ended, food stamp eligibility will continue, but as a CFAP household. A new application for CFAP benefits is not necessary when federal benefits are converted to state CFAP benefits during a certification period.

Hold Harmless Period: The hold harmless period for the Quality Control variance ends August 28, 2008.

Please refer to the following documents for more information: Food Stamp Administrative Notice #08-17, dated March 20, 2008 at <http://www.fns.usda.gov/fsp/rules/Memo/08/032008.pdf>; ORR State Letter #08-04, dated January 18, 2008 at <http://www.acf.hhs.gov/programs/orr/policy/sl08-04.htm>; and ORR State Letter #08-06, dated February 7, 2008 at <http://www.acf.hhs.gov/programs/orr/policy/sl08-06.htm>.

### **FISCAL CLAIMING INSTRUCTIONS**

Fiscal claiming instructions will be issued in a subsequent County Fiscal Letter.

### **NEWLY ARRIVING IRAQI REFUGEES**

In addition to the SIV population, a group of displaced Iraqis are arriving in California as refugees. The U.S. Department of State (DOS) has been processing applications for these Iraqis in Egypt, Jordan, Lebanon, Syria, and Turkey. The DOS is hoping to resettle approximately 12,000 of these refugees in the U.S. in FFY 2007-08. California is estimated to receive approximately 1,400 – 1,500 of these new arrivals.

The DOS contracts with voluntary resettlement agencies to provide housing, food, clothing, and medical and social services referrals in the first 90 days of a refugee arriving in the U.S. However, many refugees need assistance beyond the first 90 days and may be referred to other programs such as CalWORKs, Food Stamps, etc.

Iraqis admitted to the U.S. as refugees under the INA Section 207, or granted asylum under INA Section 208 may be eligible for federally-funded refugee benefits and services. These refugees and asylees are eligible to apply for all assistance and services to the same extent as citizens.

All new refugee and SIV arrivals have had an overseas medical examination. Upon arrival to California, they are offered a domestic health assessment. Approximately 22 percent of the Iraqis being considered for resettlement have been reported to have special needs (existing medical conditions, at-risk women and children, disabled, etc.). It is important to work with your local refugee health program and other community-health providers to ensure screening, treatment and follow-up services are provided.

The enclosed chart, "Refugees/Asylees from Iraq in California (October 1994 through March 2008)" shows the number of Iraqi refugees who have arrived in each county since October 1, 1994, as well as the number of Iraqi refugees/asylees currently on aid in each county. We strongly urge you to plan for the needs of these refugees and to share this information with local agencies such as law enforcement, health care providers, school districts, and housing authorities. The County Refugee Coordinators in each impacted county plans and implements strategies for the refugee programs in each county. The listing for the Coordinators is kept current and posted on the CDSS' Refugee Programs Bureau's (RPB) web site at [www.cdss.ca.gov/refugeeprogram/CountySoci\\_3.htm](http://www.cdss.ca.gov/refugeeprogram/CountySoci_3.htm). Also enclosed is a list of the current contact information for Refugee Health Program Coordinators in counties which have a large number of refugees. For information on updates to the Refugee Health Program Coordinators list, please contact the Refugee Health Section at (916) 552-8268.

The CDSS' RPB is responsible for the overall management and coordination of refugee programs in California and coordinates with the California Department of Public Health, Refugee Health Section, regarding refugee health services. The RPB is coordinating with ORR and the U.S. DOS to keep current on resettlement activities and resources. Counties will continue to be informed of any information that affects eligibility for refugee benefits and services for this group. Please refer to the RPB's website at [www.cdss.ca.gov/refugeeprogram](http://www.cdss.ca.gov/refugeeprogram) for information on the refugee program. As the RPB learns more about the resettlement of the Iraqi refugees, we will continue to share that information.

If you have any questions, please contact the following staff in the specific program area:

**Refugee Programs**

Ms. Camille Ancona, Policy Analyst, Refugee Programs Bureau at (916) 653-7785.



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**Health Services**

Mr. Carlos Zavala, Chief, Refugee Health Section at (916) 552-8264.

**CalWORKs Programs**

Mr. Matthew Devereux, Analyst, CalWORKs Eligibility Bureau at (916) 654-1322.

**Food Stamp Programs**

Ms. Sharon Campbell, Analyst, Food Stamp Policy Implementation Bureau at (916) 654-0737.

We hope this information is helpful to prepare communities that may be impacted by this resettlement effort.

Sincerely,

***Original Document Signed By ERIC FUJI For:***

CHARR LEE METSKER  
Deputy Director  
Welfare to Work Division

Enclosures

c:     Graham Knaus, County Welfare Directors Association  
       Carlos Zavala, Chief, Refugee Health Section

## Refugees/Asylees from Iraq in California

| County          | Refugee Arrivals* | Currently On Aid** |
|-----------------|-------------------|--------------------|
| Alameda         | 17                | 4                  |
| Contra Costa    | 15                | 20                 |
| Fresno          | 16                | 7                  |
| Los Angeles     | 170               | 124                |
| Monterey        | 2                 | 3                  |
| Orange          | 188               | 77                 |
| Placer          | 0                 | 2                  |
| Riverside       | 105               | 70                 |
| Sacramento      | 32                | 27                 |
| San Bernardino  | 10                | 27                 |
| San Diego       | 1,614             | 1,617              |
| San Francisco   | 76                | 16                 |
| San Luis Obispo | 7                 | 0                  |
| San Mateo       | 6                 | 13                 |
| Santa Clara     | 93                | 57                 |
| Solano          | 6                 | 0                  |
| Sonoma          | 2                 | 0                  |
| Stanislaus      | 151               | 68                 |
| Ventura         | 3                 | 3                  |
| Yolo            | 6                 | 1                  |
| <b>Totals</b>   | <b>2,519</b>      | <b>2,136</b>       |

\* Arrivals Data includes refugee arrivals from Iraq who arrived in California between October 1, 1994 and March 31, 2008. Data includes only refugees.

\*\* Aided Data includes those currently on aid as of June 2008 and includes only those who arrived after 1994. Data includes refugees and asylees.

Source: Arrivals Data: Refugee Programs Bureau Arrivals Database  
Aided Data: Medi-Cal Eligibility Data System - June 2008

**CALIFORNIA DEPARTMENT OF HEALTH SERVICES**  
***REFUGEE HEALTH ASSESSMENT PROGRAM***  
*Refugee Health Program Coordinators*



**STATE REFUGEE HEALTH PROGRAM COORDINATOR**

**Carlos Zavala**

**Chief**

**CA Department of Public Health**

**Refugee Health Section**

**P.O. Box 997377**

**MS 5204**

**Sacramento, CA 95899-7413**

**Phone: (916) 552-8264**

**Fax: (916) 552-8260**

**E-mail: [Carlos.Zavala@cdph.ca.gov](mailto:Carlos.Zavala@cdph.ca.gov)**

**LOCAL REFUGEE HEALTH PROGRAM COORDINATORS**

**Alameda County**

**Sambo Ly**

**Project Manager**

**Alameda Co. Ambulatory Care Service**

**1411 East 31 Street, D2**

**Oakland, CA 94602-1018**

**Phone: (510) 437-4484**

**Fax: (510) 437-4613**

**E-mail: [sly@acmedctr.org](mailto:sly@acmedctr.org)**

**Butte County**

**Debbie Suderman, RN, PHN, MSN**

**Clinic Manager**

**Butte Co. Dept. of Public Health**

**78 Table Mountain Boulevard**

**Oroville, CA 95965**

**Phone: (530) 538-5298**

**Fax: (530) 538-5294**

**E-mail: [dsuderman@buttecounty.net](mailto:dsuderman@buttecounty.net)**

**CALIFORNIA DEPARTMENT OF HEALTH SERVICES**  
**REFUGEE HEALTH ASSESSMENT PROGRAM**  
*Refugee Health Program Coordinators*



**Contra Costa County**

**Maggie Nguyen**  
**Project Coordinator**  
Contra Costa Co. Health Dept.  
597 Center Avenue, Suite 325  
Martinez, CA 94553  
Phone: (925) 313-6893  
Fax: (925) 313-6344  
E-mail: [Mnguyen3@hsd.co.contra-costa.ca.us](mailto:Mnguyen3@hsd.co.contra-costa.ca.us)

**Fresno County**

**Tom Booth**  
**PHN II/Charge Nurse**  
**Refugee Health Coordinator**  
1221 Fulton Mall, MS 178  
Fresno, CA 93721  
Phone: (559) 445-3409  
Fax: (559)-445-3499  
E-mail: [tbooth@co.fresno.ca.us](mailto:tbooth@co.fresno.ca.us)

**Los Angeles County**

**Socorro Kirk, P.H.N.**  
**Refugee Health Assessment Program Coordinator**  
Los Angeles Co. Dept. of Public Health  
Tuberculosis Control Branch  
2615 S. Grand Avenue, #507  
Los Angeles, CA 90007  
Phone: (213) 744-3352  
Fax: (213) 749-0926  
Email: [skirk@ph.lacounty.gov](mailto:skirk@ph.lacounty.gov)

**Merced County**

**Karen Resner, BSN**  
**Public Health Program Manager**  
Merced County Health Department  
260 East Fifteenth Street  
Merced, CA 95340  
Phone: (209) 381-1036  
Fax: (209) 381-1034  
E-mail: [kresner@co.merced.ca.us](mailto:kresner@co.merced.ca.us)

**CALIFORNIA DEPARTMENT OF HEALTH SERVICES**  
***REFUGEE HEALTH ASSESSMENT PROGRAM***  
*Refugee Health Program Coordinators*



**Orange County**

**Randee Bautista**  
**Supervising Health Nurse II**  
14120 Beach Blvd. #104  
Westminister, CA 92683  
Phone: (714) 896-7501  
Fax: (714) 896-7316  
E-mail: [Rbautista@ochca.com](mailto:Rbautista@ochca.com)

**Sacramento County**

**Kathy Abbott**  
Sacramento Co. Dept of Health & Human  
Services  
4600 A Broadway, Suite 2100  
Sacramento, CA 95820  
Phone: (916) 874-9766  
Fax: (916) 874-9740  
E-mail: [AbbottK@SacCounty.net](mailto:AbbottK@SacCounty.net)

**San Diego County**

**Paulino S. Paidá**  
**Health Information Specialist**  
3851 Rosecrans Street  
P.O. Box 85222, MS P-511 D  
San Diego, CA 92186  
Phone: (619) 692-8636  
Fax: (619) 692-5650  
E-mail: [Paulino.Paida@sdcounty.ca.gov](mailto:Paulino.Paida@sdcounty.ca.gov)

**San Diego (Catholic Charities)**

**Bob Moser, Ph.D.**  
**Deputy Director**  
4575 Mission Gorge Place, Ste. A  
San Diego, CA 92120  
Phone: (619) 287-9454 #102  
Fax: (619) 287-6328  
E-mail: [rmoser@ccdsd.org](mailto:rmoser@ccdsd.org)

**CALIFORNIA DEPARTMENT OF HEALTH SERVICES**  
**REFUGEE HEALTH ASSESSMENT PROGRAM**  
*Refugee Health Program Coordinators*



**San Francisco County**

**Patricia Erwin, MPH**  
**Program Manager**  
Newcomers Health Program  
San Francisco Dept. of Public Health  
1490 Mason Street, Room 107  
San Francisco, CA 94133  
Phone: (415) 364-7651  
Fax: (415) 364-7660  
E-mail: [patricia.erwin@sfdph.org](mailto:patricia.erwin@sfdph.org)

**San Joaquin County**

**Kathy Tully,**  
**Nurse Manager**  
San Joaquin County Public Health  
P.O. Box 2009  
Stockton, CA 95201  
Phone: (209) 468-8934  
Fax: (209) 468-3841  
E-mail: [ktully@sjcphs.org](mailto:ktully@sjcphs.org)

**Santa Clara County**

**Dena Dickinson, R.N., M.S.,**  
**Program Manager**  
Santa Clara Valley Health & Hospital  
System/TB Clinic  
2400 Moorpark Ave., Ste. 316  
San Jose, CA 95128  
Phone: (408) 885-5703  
Fax: (408) 885-4699  
E-mail: [dena.dickinson@hhs.co.santa-clara.ca.us](mailto:dena.dickinson@hhs.co.santa-clara.ca.us)

**Stanislaus County**

**Karen Madden**  
**Staff Services Coordinator**  
Stanislaus Co. Health Service Agency  
820 Scenic Drive  
Modesto, CA 95350  
Phone: (209) 552-5600  
Fax: (209) 558-7531  
E-mail: [kmadden@sdhsa.org](mailto:kmadden@sdhsa.org)

**CALIFORNIA DEPARTMENT OF HEALTH SERVICES**  
***REFUGEE HEALTH ASSESSMENT PROGRAM***  
*Refugee Health Program Coordinators*



**Tulare County**

**Linda Wise**  
**Clinical Nursing Supervisor**  
**Tulare Co. Primary Care**  
**5957 South Mooney Blvd.**  
**Visalia, CA 93377**  
**Phone: (559) 737-4660 ext. 2470**  
**Fax: (559) 740-4352**  
**E-mail: [lwise@tularehhsa.org](mailto:lwise@tularehhsa.org)**